

REMARKS

After entry of the RCE, Applicant replies to the Advisory Action dated February 15, 2011, and further replies to the final Office Action dated December 6, 2010. Claims 1, 3, 6-17, 19-22, 25-28, 30-36 and 39 are pending in the application. Applicant respectfully requests reconsideration of this application.

112 rejections

In the Advisory Action, the Examiner notes that there does not appear to be support in the specification for the amended limitation of "transferring ... in response to said staged software being improper, software directly to said software-defined radio device from a software server to create transferred software".

Applicant draws the Examiner's attention to, for example, paragraphs 41 and 42 of the application. Specifically, the current application discloses "[a] status application 166 operating on the SDR device 140 can provide variables relating to the status of the SDR device 140. The status application 166 can utilize the processor 142 to poll the data store 148, cache memory (not shown), and/or random access memory (RAM) to identify currently running software information, such as version information, identify staged versions of the software, identify versions of the software which are stored in the data store 148, or identify any other desired parameters," (para. 41). Furthermore, "[t]he status information can be presented to the system operator via the MMI 130. For example, the MMI 130 can show a listing of software currently stored on the data store 148, including software version information. The MMI 130 also can show currently installed software patches and which software is currently running on the SDR device 140. Further, information relating to what software versions are staged to be loaded on a next restart can be provided by the MMI 130. Accordingly, the system operator can evaluate the current status of the SDR device 140. For instance, if a SDR device 140 has not been updated with the latest version of a particular software, but the version which is installed on the SDR device 140 is satisfactory for that particular SDR device, a system operator may decide not to install a new version of the software," (para. 42). Applicant asserts that this disclosure provides adequate support for the amendments made in the Reply to Office Action filed January 31, 2011.

Also in the Advisory Action, the Examiner states that “[t]he amended limitations appear to be inconsistent with the description provided in the specification since it is not clear how the transferred software and the staged software are the same when the transferred software is recited in the claim as being transferred in response to the staged software being improper. Applicant is requested to clarify these issues if the amended limitations are maintained in a subsequent response.” Applicant replies that the claims are not inconsistent, and that the transferred software is at times different than the staged software. For example, the transferred software may be used to update the staged software if the staged software is out-dated prior to installation.

In view of the above remarks, Applicant respectfully requests withdrawal of all rejections of the pending claims. The Examiner is invited to telephone the undersigned at the Examiner's convenience, if that would help further prosecution of the subject application. The Commissioner is authorized to charge any fees due to Deposit Account No. 19-2814.

Respectfully submitted,

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